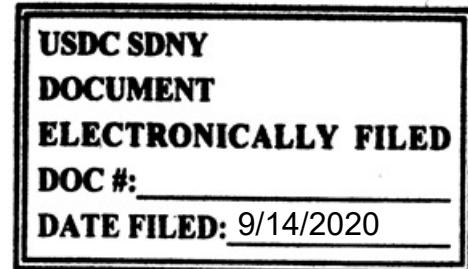


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PAUL BETANCES, et al., : 11 Civ. 3200 (RWL)
: ORDER
Plaintiffs, :
: - against -
: BRIAN FISCHER, in his capacity as
: Commissioner of the New York State
: Department of Correctional Services (DOCS),
: and in his individual capacity, et al.,
: Defendants.
-----X



ROBERT W. LEHRBURGER, United States Magistrate Judge.

This Order responds to the parties' joint letter dated September 11, 2020 (Dkt. 271), inquiring about the likelihood of the jury trial in this case going forward as currently scheduled in early November. This case is one of several that are designated as potentially being trial ready at that time. Given the priority given to criminal trials, and the backlog in jury trials as a result of the pandemic, there is hardly a guarantee of trial taking place as scheduled. At the same time, other variables – settlement of other cases, adjournments in other cases, etc. – could operate in favor of trial in early November. The bottom line is that I cannot offer a firm prediction either way as to what will happen. In light of that uncertainty and the parties' concerns about completing requisite remaining tasks on schedule, the Court will entertain a proposal for a revised schedule. **Should the parties wish to make a proposal, they shall do so by September 23, 2020.**

SO ORDERED.



ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: September 14, 2020
New York, New York

Copies transmitted to all counsel of record.